

State of Hawaii
DEPARTMENT OF LAND AND NATURAL RESOURCES
Division of Boating and Ocean Recreation
Honolulu, Hawaii 96813

August 12, 2011

Board of Land and Natural Resources
State of Hawaii
Honolulu, HI

RECOMMEND THE BOARD OF LAND AND NATURAL RESOURCES (BOARD)
APPROVE THE ISSUANCE OF COMMERCIAL USE PERMITS FOR COMMERCIAL
CATAMARAN ACTIVITIES TAKING PLACE ON WAIKIKI BEACH AND NEAR SHORE
WATERS TO THE OPERATORS LISTED IN EXHIBIT A

REMARKS: Section 13-251-76, Hawaii Administrative Rules (HAR), requires all persons engaged in commercial activities of any kind in or on Waikiki ocean waters and beach to hold a written permit from the Board or its authorized representative to engage in such activities.

There are four (4) valid catamaran permits authorized for Waikiki Beach and near shore waters. Currently, there are seven (7) permitted catamarans operating from Waikiki Beach. According to Hawaii Administrative Rules, Section 13-251-51, anyone holding a valid registration to operate on Waikiki ocean waters on November 6, 1981 may continue operations and be permitted to apply for and renew their registration until the total number is reduced by attrition or other means to four (4).

On May 9, 2008, the Board approved Item J-2 that pertained to the issuance of commercial use permits for Kaanapali Beach and ocean waters. We are proposing to follow the same guidelines as outlined for Kaanapali Beach catamaran operations and require all operators to obtain a commercial use permit as well as an addendum authorizing passengers to be embarked and disembarked from Waikiki Beach. We will also assess the same commercial use fee as all other commercial use permits which is 3% of gross receipts or two hundred dollars per month, whichever is greater.

According to the 1928 Waikiki Beach Reclamation Agreement, no commercial activities are permitted to take place on Waikiki Beach. All commercial activities originate from private property and people traverse the beach to gain access to the water. Similar to Kaanapali Beach, beach chairs and umbrellas are rented from private property then set up on the beach for use. When not in use, they are removed from the beach.

Recommend the Board of Land and Natural Resources (Board)
Approve the Issuance of Commercial Use Permits for
Commercial Catamaran Activities Taking Place on Waikiki Beach
and Near Shore Waters to the Operators Listed in Exhibit A

August 12, 2011

Item J-2

Waikiki Beach and ocean waters is heavily used by both recreational and commercial users and we are still assessing the best way to regulate the numerous commercial activities taking place in the water. We will come back to the Board at a later date once we finalize our proposal.

RECOMMENDATIONS:

That the Board:

1. Approve the issuance of commercial use permits for catamaran operations in Waikiki ocean waters, in conformance with the above discussion.
2. Authorize the Division of Boating and Ocean Recreation to issue the commercial use permit and addendum to the operators listed in Exhibit A.

Respectfully submitted,



Edward R. Underwood
Administrator

Attachment: Exhibit A

APPROVED FOR SUBMITTAL



William J. Aila, Jr.
Chairperson and Member

Current Waikiki Beach and Ocean Water Catamaran Operators

- Waikiki Cruises
- Welakahao Catamaran, Inc., dba Outrigger Catamaran
- King Parsons Enterprises
- Woodbridge, Inc.
- Kepoikai, Ltd.
- Island Beach Activities, Inc.
- Anela Kai Catamaran, Inc.